

Hon. P.C. Verma, A.C.J.

Hon. Rajesh Tandon, J.

Heard learned Advocate for the parties and learned Chief Standing Counsel Mr. N.B. Tewari.

This writ petition has been filed by the petitioners seeking a writ of mandamus to direct the Chief Conservator of Forest and the Divisional Forest Officer, Ram Nagar to permit the petitioners for grazing by their sheep, goats and buffaloes etc. It is needless to say that a large number of population depend on sailing of wool taken out from the sheep, goats etc. it is a source of livelihood for them. Considering this aspect of the matter, this Court vide its final judgment dated 04.11.2003, which has been annexed as Annexure II, directed the respondents to grant the temporary permission subject to certain area being demarcated within which they can be permitted to graze their cattle with conditions like no lopping would be allowed, prohibition of cutting of trees and prohibition on crossing of areas demarcated for grazing. Forest Department can impose any other condition as they deem fit. This direction is general in nature. Despite the aforesaid mandamus issued by this Court, the petitioner has been made to approach this Court in this writ petition again. Principal Secretary, Forest, is directed to issue a Circular to all the Divisional Forest Officers concerned in the light of the judgment dated 04.11.2003, which is annexed as Annexure II to the writ petition, The said Circular shall be issued within a period of 15 days from today, failing which, we will be forced to draw legal proceedings against the Principal Secretary, Forests. In the meantime, the petitioner shall also be permitted in the same terms and conditions with which the petitioner of writ petition No. 973 of 2003 have been permitted.

With the aforesaid observations, the petition is disposed of finally.

(R.T, J.) (P.C.V., A.C, J.)

Dt. 29.12.2003.